

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Plaintiff,

v.

Crim. No. 07-08(4) (JNE/JJG)
ORDER

James Charles Weekly,

Defendant.

In a Report and Recommendation dated June 12, 2007, the Honorable Jeanne J. Graham, United States Magistrate Judge, recommended that Defendant's motions to suppress be denied and that Defendant's motion for a *Franks* hearing be granted. Defendant objected to the recommendation to deny the motions to suppress. The Court has conducted a de novo review of the record. *See* D. Minn. LR 72.2(b). Based on that review, the Court adopts the Report and Recommendation. Therefore, IT IS ORDERED THAT:

1. Defendant's motion to suppress evidence from a search and seizure [Docket No. 106] is DENIED.
2. Defendant's motion to suppress statements [Docket No. 107] is DENIED.
3. Defendant's motion for a *Franks* hearing [Docket No. 116] is GRANTED. The *Franks* hearing shall take place before the magistrate judge.

Dated: July 9, 2007

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge